

LAWRENCE G. BROWN  
Acting United States Attorney  
DAVID SHELLEDY  
Chief, Civil Division  
Assistant United States Attorney  
DONNA WADE ANDERSON  
Special Assistant United States Attorney  
[Donna.W.Anderson@ssa.gov](mailto:Donna.W.Anderson@ssa.gov)  
SSA, Office of the General Counsel  
333 Market Street, Suite 1500  
San Francisco, CA 94105-2116  
Telephone: (415) 977-8930

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

VIRGIL W. RHODES,	)	NO. 2:99-cv-00938-JAM-PAN
Plaintiff,	)	
v.	)	ORDER
MICHAEL J. ASTRUE,	)	
Commissioner of Social	)	
Security,	)	
Defendant,	)	
_____	)	

Plaintiff filed this action pursuant to 42 U.S.C. § 405(g) of the Social Security Act for judicial review of a final decision of the Commissioner of Social Security, denying his application for benefits. On August 19, 1999, this Court entered an order remanding this case pursuant to 42 U.S.C. § 405(g), sentence six for further administrative proceedings because the cassette tape on the hearing held on May 5, 1998, was blank. On remand, in a decision dated March 29, 2000, the Commissioner issued a fully favorable decision awarding Plaintiff benefits.

The Court orders as follows:

**IT IS ORDERED** that Judgment is hereby entered in favor of Plaintiff,

1 affirming the March 29, 2000, post-remand, final decision of the Commissioner of  
2 Social Security.

3  
4  
5 Date: July 28, 2009

/s/ John A. Mendez  
THE HONORABLE JOHN A. MENDEZ  
United States District Court Judge

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EASTERN DISTRICT OF CALIFORNIA  
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VIRGIL W. RHODES,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social  
Security,

Defendant,

NO. 2:99-cv-00938-JAM-PAN

JUDGMENT

IT IS HEREBY ADJUDGED that the decision of Defendant, the Commissioner of Social Security, awarding Plaintiff disability benefits, is affirmed.

Date: July 28, 2009

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ  
United States District Court Judge